

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

Saria Walker,)	
)	
Plaintiff,)	C.A. No. 6:22-04249-HMH-KFM
)	
vs.)	OPINION & ORDER
)	
Scientific Alloys Corp., Specialty Metals)	
Smelters and Refiners LLC, Specialty)	
Metals Corp., Fite Bac Technology,)	
Darby Dental Supply LLC, Sofident)	
Dental Lab Supply, Dental EZ,)	
Surepure Chemetals Inc., GPS Dental)	
Products, Mercury Refining LLC,)	
Ivoclar Vivadent, Dentron, Englehand)	
Corp. Specialty Metals Division Dental)	
Dep't, Precision Instruments PVT Ltd,)	
U.S. Food and Drug Administration,)	
)	
Defendants.)	

This matter is before the court with the Report and Recommendation of United States Magistrate Judge Kevin F. McDonald made in accordance with 28 U.S.C. § 636(b) and Local Civil Rule 73.02 of the District of South Carolina.¹ Saria Walker (“Walker”), proceeding pro se, asserts federal question jurisdiction and alleges claims based on products liability, intentional injury, personal injury, and racially discriminatory labels because her dental fillings contain amalgam. In his Report and Recommendation, Magistrate Judge McDonald recommended that this action be dismissed without prejudice, without leave to amend, and without issuance and

¹ The recommendation has no presumptive weight, and the responsibility for making a final determination remains with the United States District Court. See Mathews v. Weber, 423 U.S. 261, 270 (1976). The court is charged with making a de novo determination of those portions of the Report and Recommendation to which specific objection is made. The court may accept, reject, or modify, in whole or in part, the recommendation made by the Magistrate Judge or recommit the matter with instructions. 28 U.S.C. § 636(b)(1).

service of process. In addition, Magistrate Judge McDonald further recommended that the court warn Walker regarding the entry of sanctions in the future should she continue to file frivolous litigation in this court.

Walker filed objections to the Report and Recommendation. Objections to the Report and Recommendation must be specific. Failure to file specific objections constitutes a waiver of a party's right to further judicial review, including appellate review, if the recommendation is accepted by the district judge. See United States v. Schronce, 727 F.2d 91, 94 & n.4 (4th Cir. 1984). In the absence of specific objections to the Report and Recommendation of the magistrate judge, this court is not required to give any explanation for adopting the recommendation. See Camby v. Davis, 718 F.2d 198, 199 (4th Cir. 1983).

Upon review, the court finds that Walker's objections are non-specific, unrelated to the dispositive portions of the magistrate judge's Report and Recommendation, or merely restate her claims. Accordingly, after review, the court finds that Walker's objections are without merit. Therefore, after a thorough review of the magistrate judge's Report and the record in this case, the court adopts Magistrate Judge McDonald's Report and Recommendation and incorporates it herein by reference.

It is therefore

ORDERED that this action is dismissed without prejudice, without leave to amend, and without issuance and service of process. Further, Walker is warned that if she continues to file frivolous litigation in this court, sanctions could be entered against her.

IT IS SO ORDERED.

s/Henry M. Herlong, Jr.
Senior United States District Judge

Greenville, South Carolina
December 21 2022

NOTICE OF RIGHT TO APPEAL

The Plaintiff is hereby notified that she has the right to appeal this order within sixty (60) days from the date hereof, pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.